

## SECTION VIII - REFUSE AND SEPTAGE DISPOSAL REGULATIONS

### ~~SECTION VIII REFUSE AND SEPTAGE DISPOSAL REGULATIONS~~

~~Under the provisions of MGL Chapter 111, Section 31, the Eastham Board of Health hereby~~

~~establishes the following regulations which shall become effective upon publication:~~

~~1. All refuse (including, but not limited to garbage, construction debris, metal, tires, waste~~

~~oil, newspapers and other recyclable materials) generated within the Town of Eastham must be taken to and deposited in the Eastham landfill transfer station; or as otherwise directed and authorized by the Board of Health.~~

~~2. All refuse (including, but not limited to garbage, construction debris, metal, tires, waste~~

~~oil, newspapers and other recyclable materials) not generated within the Town of Eastham cannot be taken to and deposited in the Eastham Landfill/Transfer Station, except under Special Permit.~~

~~Adopted: September 30, 1991~~

~~Effective: October 8, 1991~~

Recommend this section be deleted as we no longer operate a landfill and courts have determined flow control to not be legal

SECTION IX TRANSFER STATION AND RECYCLING REGULATIONS

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**A. Authority**

The following regulation is adopted pursuant to MGL Chapter 111, Section 21 and 31B. This regulation supplements 310 CMR 19.000, which for enforcement purposes, is adopted by the Town of Eastham, and shall be located in Appendix 1. This regulation shall address:

1. Management of solid waste and recyclable materials, and
2. Transfer Station operational standards.

**B. Definition of Terms**

The definitions set forth in CMR 19.006 are included as Appendix 1 of these regulations.

**C. Use of Transfer Station**

1. a. Eligible for the use of Transfer Station facilities are: Eastham residents, non-resident taxpayers, businesses operating in the Town, and other persons visiting the Town.

b. Such eligibility shall be evidenced by the purchase of a non-transferable sticker, displayed on all vehicles used for transporting waste to the Transfer Station. Both residents and visitors may also show eligibility by the purchase of single-entry coupons.

c.. Eligibility to purchase stickers shall be based on presentation of a valid registration for the vehicle to be used, and other verification of permanent or temporary residence, such as an address on a tax bill, a lease or seasonal rental agreement.

d.. ~~A sticker distinctive from those above, and issued at no cost, shall be available for residents and visitors wishing to drop off recyclable materials only.~~

2. Eligible are organizations that may conduct cleanup campaigns in Town parks, beaches, roadsides, or other public areas. Pre-arrangement of the disposal from such campaigns must be made with the Highway Superintendent.

3. Eligible is the Cape Cod National Seashore after execution of a contract with the Town of Eastham delineating specific terms and conditions for use of the Transfer Station.

4. An annual operating license from the Board of Health is required for vehicles used for the COMMERCIAL collection of waste in the Town of Eastham.

~~5. A Swap Shop where residents take and leave useful items may be operated by the Recycling Committee under the supervision of the DPW. In order to encourage recycling at the Swap Shop, The removal of items for the express purpose of resale is prohibited.~~

**D. Management of Waste Materials**

1. Facilities at the Eastham Transfer ~~Station~~Station are operated for the collection and disposal of household and commercial waste generated only within the Town of

Eastham unless otherwise directed and authorized by the Board of Health. Access shall be through the paved entry/exit road, during house of operation only.

2. Waste materials are subject to restrictions that require separation of certain materials from the mass of co-mingled trash.

3. The following materials shall not be disposed of in the transfer station compactors. After Separation, these materials (most of which are recyclable) shall be placed in the receptacles or areas designated to receive them.

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a. Ashes from wood and coal stoves

b. Batteries - wet ~~cell and automotive~~ cell, automotive, and rechargeable

c. *Bottles and other glass containers (Recyclable)*

d. Building and construction - demolition debris

e. *Cans and small metal containers - tin, aluminum or bi-metal (Recyclable)*

f. Mattresses, fully upholstered furniture, cushions and pillows

g. *Metals - both scrap metal and white goods (Recyclable)*

h. *Newspapers (Recyclable)*

I. Oil and Antifreeze - automotive, marine or small engine (~~Return to place of purchase or dispose of at Whispering Pines Mobil~~)

j. Plastics - HDPE, milk and water jugs

k. Tires - either on or off the rim

l. Yard waste - leaves, grass clippings, brush, etc.

m. Fluorescent bulbs, thermostats, and other items containing mercury

n. Items with refrigerants such as AC units, dehumidifiers, etc.

More specific instructions shall be made available to the public by the Board of Health through periodic distribution of information materials. Single Stream Recycling (SSR) is authorized for Haulers licensed by the Board of Health and SSR material generated outside Eastham may be accepted at the Transfer Station. SSR is a method of collecting recyclable materials in which all items (paper, plastic, and metal/glass containers) are mixed together, rather than being separated by residents. Private refuse haulers that collect recyclable materials typically use this method of recycling. Once collected, SSR materials are transported to a material Recovery Facility (MRF) where they are sorted into categories and sold as a commodity.

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4. The following materials are strictly prohibited from the Eastham Transfer Station ~~site~~ Site:

a. ~~Agricultural waste~~, explosive materials, corrosive materials, pathological waste, biological waste, offal, entrails, etc. of butchered animals, radioactive materials, ashes, foundry sand, mining waste.

b. Sewage sludge, cesspool and other human waste, human and animal remains, motor vehicles, ~~major motor vehicle parts (including transmissions, rear ends, springs and fenders)~~, ~~agricultural and farm~~

~~machinery and equipment and major parts thereof, marine vessels and major parts thereof.~~

c. ~~Any other type of large machinery or equipment, including thick walled or solid metal objects such as castings, forgings, gas cylinders or large motors, solid blocks of rubber or plastic greater than two (2) cubic feet in volume, rolls of carpet or fencing over twelve (12) inches in diameter, steel or nylon rope, chains, cables or slings more than four (4) feet long, logs over four (4) feet long and/or two (2) feet in diameter, Brush and~~ tree stumps, liquid waste, including liquid chemical waste, sewage and other highly diluted water-carried materials or substances and those in gaseous form, ~~non-burnable construction materials and/or demolition debris~~, or special nuclear by-product materials within the meaning of the Atomic Energy Act of 1954 was amended, or any other material which

1. may present a substantial endangerment to public safety or is banned by the Massachusetts Department of Environmental Protection
2. would cause applicable water quality or water effluent standards to be violated by the normal operation of the project, or
3. because of its size, durability or composition can not be processed at the project, may materially impair its structures or equipment or has a reasonable possibility of otherwise adversely affecting the operation of the plant.

d. ~~SEAMASS, in Article 3.0 of its contract with the Town of Eastham, also~~

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~~reserves the "...sole discretion to reject delivery of any solid waste...which SEAMASS determines does not constitute acceptable solid waste." Further, there is a provision limiting acceptable waste to that which is "...compatible with the design of the plant."~~

e. ~~Hazardous waste shall not be accepted at the Transfer Station at any time.~~

f. Special waste shall not be accepted at the Transfer Station at any time.

Such wastes include asbestos waste, infectious waste, sewage and water treatment sludges, and any solid waste not hazardous pursuant to 310 CMR 30.00 and that exists in such quantity or in a chemical or physical state so that particular management controls are required to prevent an adverse impact from the collection, transmission, transfer, storage, processing treatment or disposal of the solid waste.

g. Acceptable wastes, after any required separation and preparation, shall be placed in the compactor bins, or deposited in the areas or receptacles designated for each class of material, as instructed by appropriate signage and/or verbal instruction from Transfer Station employees.

h. Transfer Station employees shall periodically inspect loads of waste materials brought for disposal to ensure compliance with this regulation.

Patrons entering the disposal area, shall upon request of a Transfer ~~Sation~~Station attendant, provide proof or answer questions concerning the origin or nature of their waste materials.

I. Transfer Station employees shall keep daily and periodic records of the

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type of waste received, and of the weights of waste and restricted materials shipped from the Transfer Station. These records will be kept in a manner and form appropriate to the financial and operational management of the Transfer Station, and for use in complying with the Commonwealth's stated waste-reduction goals.

**5. Solid Waste Disposal Fees**

To offset the costs of special handling, processing and transportation at the Transfer Station, fees are charged for the disposal of certain solid-waste items and materials. Fee Schedules are reviewed every year by the Board of Selectmen and the Town Administrator, and after public notice and hearing, are available at the Town Hall and the Transfer Station (The fee schedule will be discussed at the Public Hearing).

**6. Severability, Violations and Penalties**

If any Article, regulation, paragraph, sentence, clause or phrase of these regulations shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of these regulations, which shall remain in full force and effect; and to this end the provisions of these regulations are hereby declared severable.

**7. Violations of the above regulations shall result in...Warning by Written Notice.** Subsequent violations shall result in the issuance of fines, under MGL Chapter 40, Section 21.